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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1942

No. [redacted] 5

HAZEL-ATLAS GLASS COMPANY, J. HARRISON McNASH, WALTER B. McCLURE, ET AL.,
Appellants,

vs.

THE UNITED STATES OF AMERICA.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OHIO.

STATEMENT AS TO JURISDICTION.

STEPHEN H. PHILBIN,
Counsel for Appellants.

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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF OHIO,
WESTERN DIVISION

Civil Action No. 4426

UNITED STATES OF AMERICA,
Plaintiff,

v.

HARTFORD-EMPIRE COMPANY, et al.,
Defendants.

STATEMENT AS TO JURISDICTION.

Hazel-Atlas Glass Company, a corporation, and J. Harrison McNash, Walter H. McClure, George S. Quay, L. C. Paull, H. W. Gee, William W. Holloway and B. H. Seabright, individuals, collectively referred to in the above-entitled cause as defendants associated with Hazel-Atlas Glass Company, file this their statement in compliance with Rule 12 of the Supreme Court of the United States showing the basis on which the Supreme Court has jurisdiction on appeal to review the Judgment herein:

Judgment and Appeal.

The Judgment of the District Court, herein sought to be reviewed, was entered October 8, 1942.

A petition for Appeal to the Supreme Court was filed on December 3rd, 1942, and is presented to the District Court herewith December 3rd, 1942.

Statement as to Jurisdiction.

The Supreme Court of the United States has jurisdiction of this appeal under the provisions of Judicial Code, Sec. 238 as amended, 28 USC, Sec. 345, Act of Feb. 11, 1903, c. 533, Sec. 2, 32 Stat. 823, as amended, 15 USC, Sec. 29; 36 Stat. 1167, Section 291, 15 USCA 29.

Among the decisions sustaining such jurisdiction are *Ethyl Gasoline Corp.* v. *U. S.*, 309 U. S. 436; *U. S.* v. *Univis* 316 U. S. 241; *U. S.* v. *Masonite*, 316 U. S. 265.

Respectfully submitted,

(S) STEPHEN H. PHILBIN,
Counsel for above named defendants.

This 3rd day of December, 1942.

(Clerk's Note—The opinion is printed as a separate volume).